

REMARKS

The above amendment is made in response to the Final Office Action mailed October 18, 2004. Claims 1-9 are pending in the present application and stand rejected. It is believed that no new matter has been added. The Examiner's reconsideration is respectfully requested in view of the following remarks.

Substitute Specification

A second substitute specification, which is attached hereto, is submitted as required by the Office Action. The substitute specification corrects minor grammatical errors, and includes no new matter.

Rule 105 Requirement for Information

A complete reply to the Examiner's Rule 105 request was previously made in the Applicants' Amendment mailed on July 1, 2004. Other than the information supplied in that previous Amendment, the information required to be submitted is unknown and/or is not readily available to the parties from which it was requested.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3, 5-6 and 8-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hind et al. (U.S. Patent No. 6,585,778) (hereinafter "Hind"). The rejection is respectfully traversed.

The Office Action relies on col. 7, lines 19-50 of Hind as anticipating "a device-platform interface, for accepting *device requests issued by devices* wherein said device

requests are *in a representation mode which is adapted for the devices*,” as claimed in claim 1. Applicants respectfully disagree.

Col. 7, lines 19-50 of Hind discloses an intermediary between a client who requests stored data and the server application which contains the stored data. The intermediary is used to enforce “data policy,” which refers to procedures and rules used to control access to stored data. (See, Hind, col. 1, lines 13-14). Col. 1, line 40 to col. 2, line 8 of Hind discloses an example where a user “Sam” requests contact information from another user “Smith” from an employee directory. Hind discloses a *user* issuing a request for information. Nothing in the recited portions of Hind discloses a *device* issuing a request, as essentially claimed in claim 1. It follows then that the recited portions of Hind do not disclose that requests are “in a representation mode which is adapted *for the devices*,” also as claimed in claim 1. Additionally, the Office Action does not specifically address which parts of Hind anticipate each of the above-stated limitations.

The Office Action further relies on col. 7, lines 19-50 of Hind as anticipating “transforming the device requests into XML requests and then *sending the XML requests to a platform kernel section via HTTP protocol*” and “the device dependent component comprising *device type* and *transmitting protocol information*,” as claimed in claim 1. The recited portions of Hind do not even mention the use of HTTP protocol, much less disclose using HTTP protocol to send XML requests to a platform kernel section, as essentially claimed in claim 1. Further, the recited portions of Hind do not disclose a component including a “device type” and “transmitting protocol information” as essentially claimed in claim 1. Additionally, the Office Action does not specifically address which parts of Hind anticipate each of the above-stated limitations.

The Office Action relies on col. 8, lines 38-57 of Hind as anticipating “a service-platform interface,” as claimed in claim 1. Applicants respectfully disagree.

The recited portions of Hind disclose style sheets which can search for and extract from an XML document information, and tailor information so that the information can be delivered to a particular device. (See, Hind, col. 8, lines 38-45). Nothing in the recited portions of Hind discloses “abstracting service requirements of the services” “providing an adapter for each of the services based on the service requirements,” and the adaptor for “transforming between service responses issued by the services and the XML responses,” as essentially claimed in claim 1. Additionally, the Office Action does not specifically address which parts of Hind anticipate each of the above-stated limitations.

The Office Action relies on col. 8, line 58 to col. 9, line 35 as anticipating “a platform kernel section, “as claimed in claim 1. Applicants respectfully disagree.

The recited portions of Hind do not disclose “managing user information, device information and service information,” “providing one of a synchronized and an asynchronized service engine,” “providing interfaces with modules in the platform kernel section,” and “transferring the XML requests and the XML responses among the modules and between services and devices,” as claimed in claim 1. Additionally, the Office Action does not specifically address which parts of Hind anticipate each of the above-stated limitations.

Accordingly, claim 1 is believed to be patentably distinguishable over Hind. Dependent claims 2-3, 5-6 and 8-9 are believed to be allowable for at least the reasons given for claim 1. Withdrawal of the rejections under 35 U.S.C. §102(e) is respectfully requested.

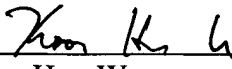
Claims 3-5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hind. Under 35 U.S.C. § 103(c), “[s]ubject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” In this case, the claimed invention and Hind are both assigned to International Business Machines Corporation.

Thus, withdrawal of the rejection of 3-5 under 35 U.S.C. §103(a) is respectfully requested. Dependent claims 3-5 are believed to be allowable for at least the reasons given for claim 1.

Further, the Office Action takes Official Notice of a portion of claim 4, arguing that a queue is well-known. Claim 4 claims, *inter alia*, “*wherein said one of a synchronized and an asynchronized engine provides...asynchronized requests based on a queue.*” Claim 4 does not claim simply a queue as the Office Action apparently asserts. Applicants submit that “asynchronized requests based on a queue” is *not* well-known. The Examiner cannot simply parse the claim in any fashion as he or she so chooses. Thus, Applicants respectfully traverse the Examiner’s assertion that a queue, *in the manner claimed in claim 4*, is well-known.

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

By: 
Koon Hon Wong
Reg. No. 48,459
Attorney for Applicants

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, New York 11797
Telephone: (516) 692-8888
Facsimile: (516) 692-8889